

In Re: : Case No. 23-21150 CMB
William H. Pletcher, Jr. and Jaclyn R. Pletcher, : Chapter 13
Debtors, :
William H. Pletcher, Jr. and Jaclyn R. : Related to: Document No. 60
Pletcher, :
Movants, :
vs. :
No Respondents.

CONSENT ORDER TO APPROVE POST
PETITION AUTOMOBILE FINANCING

AND NOW this 16th day of January, 2025, the Debtors, William H. Pletcher, Jr. and Jaclyn R. Pletcher, by their Counsel, Tremba, Kinney, Greiner & Kerr, LLC and Daniel R. White, Esquire, and Chapter 13 Trustee, Ronda J. Winnecur, by her Counsel, Kate DeSimone, and files the within Consent Order to Approve Post Petition Automobile Financing representing as follows:

1. This Consent Order is being sought on an emergency basis as Debtors have an immediate need to purchase a vehicle for personal use.
2. Movants are the Debtors in this Chapter 13 Bankruptcy proceeding having filed a Voluntary Chapter 13 petition on May 26, 2023.
3. The Debtors have a confirmed Chapter 13 plan dated July 3, 2024, which provides for a distribution to unsecured creditors with a plan payment of \$3,065.00 per month.
4. The Debtors have commenced monthly payments to the Trustee with payments being remitted through wage attachment. Debtors are in month 19 of a 60 month plan and their payments are current.
5. The Debtors are seeking secured financing in order to purchase a vehicle for Debtors' personal use. The Debtors are awaiting bankruptcy authorization.
6. The Debtors intend to replace the 2021 Chevy Traverse and 2014 Chevy Silverado listed in their schedules. These vehicles are failing mechanically are costing Debtors' significant funds and are no longer dependable.

Based upon the foregoing, and for good cause shown, it is hereby **ORDERED, ADJUDGED, and DECREED** that:

1. The Debtors' *Motion* is **GRANTED** as provided by the terms of this *Order*. Debtors are authorized to obtain secured financing for the purchase of a vehicle or vehicles on the following terms:
 - (a) the total amount of financing shall not exceed \$25,000.00 per vehicle and interest rate should not exceed 20%; and;

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- (b) the monthly payments made under the financing agreement **shall not exceed \$500**/per month.
2. To the extent that Debtors secure financing for the purchase of a vehicle, such payments **shall be made through the chapter 13 plan**. Within **30 DAYS** of securing such financing, Debtors shall file:
- (a) an amended chapter 13 plan; and
 - (b) a report of purchase/financing
 - (c) Debtors are authorized but not required to trade and/or surrender their current vehicles as part of this transaction and may purchase one or two replacement vehicles.
3. Upon the filing of the report of financing and notice from the Debtors that prepetition automobile lenders will not be paid due to trade or surrender, the chapter 13 trustee is authorized to cease making payments to M&T Credit Services on account number 11000173124760001 and to Ally Financial, Inc on account number 628929086212.
4. To ensure the prompt and timely payment of the automobile loan, Debtors shall make a supplemental payment to the chapter 13 trustee **within 7 days** of filing the report of purchase/financing (and each month thereafter as necessary) in an amount sufficient for the trustee to cover the installments due on the loan. The supplemental payments shall be in addition to the regular plan payment, pending confirmation of the amended plan.
5. Pending confirmation of any amended plan providing for the new post-petition loan payments, the Trustee is authorized to make monthly adequate protection payments to the **POST-PETITION AUTOMOBILE LENDER** for the contract amount so long as sufficient supplemental funds are provided by Debtors.
6. Notwithstanding the inclusion of the post-petition loan within an amended chapter 13 plan, the underlying terms of the loan shall not be modified absent the consent of the **POST-PETITION AUTOMOBILE LENDER**.
7. Debtors shall serve copies of this *Order* on all creditors eligible to receive distributions through the chapter 13 plan and file proof of the same with the Court.

Prepared by: Daniel R. White, Esquire

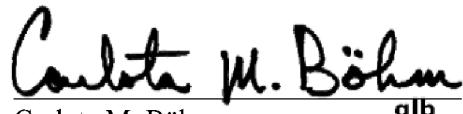
OFFICE OF THE CHAPTER 13 TRUSTEE

/s/Kate DeSimone
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 Attorney for Chapter 13 Trustee

TREMBA, KINNEY, GREINER & KERR

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 Attorney for Debtors

SIGNED
 1/16/25 1:44 pm
 CLERK
 U.S. BANKRUPTCY
 COURT - WDPA


 Carlota M. Böhm
 gtb
 United States Bankruptcy Judge

In re:
William H. Pletcher, Jr.
Jaclyn R. Pletcher
Debtors

Case No. 23-21150-CMB
Chapter 13

District/off: 0315-2
Date Rcvd: Jan 16, 2025

User: auto
Form ID: pdf900

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Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jan 18, 2025:

Recip ID **Recipient Name and Address**
db/jdb + William H. Pletcher, Jr., Jaclyn R. Pletcher, 137 Redstone Furnace Road, Hopwood, PA 15445-2113

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jan 18, 2025

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on January 16, 2025 at the address(es) listed below:

Name	Email Address
Brent J. Lemon	on behalf of Creditor LAKEVIEW LOAN SERVICING LLC blemon@kmllawgroup.com, lemondropper75@hotmail.com
Daniel R. White	on behalf of Joint Debtor Jaclyn R. Pletcher r63228@notify.bestcase.com;ethomas@westpalawyers.com;kcostello@westpalawyers.com
Daniel R. White	on behalf of Debtor William H. Pletcher Jr. r63228@notify.bestcase.com;ethomas@westpalawyers.com;kcostello@westpalawyers.com
Denise Carlon	on behalf of Creditor LAKEVIEW LOAN SERVICING LLC dcarlon@kmllawgroup.com
Maribeth Thomas	on behalf of Creditor Ally Bank c/o AIS Portfolio Services, LLC mthomas@tuckerlaw.com, maribeth.thomas@gmail.com

District/off: 0315-2

User: auto

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Total Noticed: 1

Office of the United States Trustee

ustpregion03.pi.ecf@usdoj.gov

Ronda J. Winnecour

cmeccf@chapter13trusteewdpa.com

TOTAL: 7